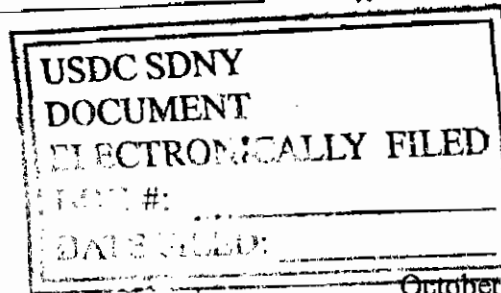


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Hon. Denny Chin
United States District Judge
Daniel Patrick Moynihan Courthouse
Room 1020
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*This application is DENIED
except that defendant may
file reply papers with
respect to each motion*

Rc: Guimaraes v. Speiser Krause No. 05 CV 2210 (DC)(S.D.N.Y.) by 11/14/06
Minitti v. Speiser Krause No. 04 CV 07976 (DC)(S.D.N.Y.)

Dear Judge Chin:

We represent the defendant Speiser Krause in the above two actions. Presently on file with the Court are defendant's moving papers in support of its motions for summary judgment in each of the above cases. Also on file are the respective plaintiffs' opposition to those motions - which were electronically filed over this past weekend. As presently scheduled, Speiser Krause's replies in the subject motions are due Monday, October 30, 2006. I write to the Court for additional time, and for permission to submit supplemental memoranda to fully brief two issues of choice of law. This procedure is available to the Court under Rules 16(c)(1), 16(c)(5) and/or 16(c)(12). *SO ORDERED. 10/27/06*

Issue 1: Application of Brazilian Law:

Plaintiff Renato Guimaraes' opposition raises, for the first time, pursuant to Federal Rule of Civil Procedure 44.1, an issue concerning the application of Brazilian law to aspects of his breach of contract claim. Guimaraes Memorandum in Opposition at p. 33, FN 21. This notice is accompanied by a ten page declaration by Keith Rosenn, an individual who declares his expertise in comparative and Brazilian law. In sum, Guimaraes (a Brazilian attorney) argues that he is entitled to a fee even if the underlying clients discharged him for cause. *Id.* at 33-34; Rosenn declaration at ¶13.

As far as can be ascertained, plaintiff Wanderley Minitti's summary judgment opposition also raises the issue of application of Brazilian law. In sum, Minitti argues that Guimaraes bound Speiser Krause to pay Minitti a fee under prevailing Brazilian rules which allow for the assignment of Power of Attorney from one lawyer to another. See, Minitti Memorandum in Opposition at 2-3; Affidavit of Wanderley Minitti at p.6.

MEMO ENDORSED